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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANNETTE BAKAY and RICHARD
BAKAY, wife and husband,

Plaintiffs,

v.

LAURIE A. YARNES, in her individual and
official capacity as CLALLAM COUNTY
ANIMAL CONTROL OFFICER; LAURIE
A. YARNES and TODD A. YARNES, a
marital community; TRACEY KELLAS, in
her individual and official capacity as
CLALLAM COUNTY ANIMAL
CONTROL OFFICER, and RANDOLPH J.
KELLAS, husband and wife, a marital
community; CLALLAM COUNTY ex rel.
CLALLAM COUNTY SHERIFF'S OFFICE
and CLALLAM COUNTY ANIMAL
CONTROL, a Washington municipal
corporation; CHARLES B. SCHRAMM, in
his individual and official capacity as
PRESIDENT OF HUMANE SOCIETY OF
CLALLAM COUNTY (UBI 601-141-356),
a Washington nonprofit corporation;
CHARLES B. SCHRAMM and JANE DOE
SCHRAMM, a marital community;
HUMANE SOCIETY OF CLALLAM
COUNTY (UBI 601-141-356), a
Washington nonprofit corporation; TEV
BARROS, D.V.M. (vt6853), individually;
TEV M. BARROS and JANE DOE
BARROS, a marital community; and DOES
1-10,

Defendants.

Case No. C04-5803RJB

ORDER DENYING PLAINTIFFS'
MOTION SEEKING LEAVE TO
FILE MOTION TO COMPEL

This matter comes before the Court on Plaintiffs' Motion Seeking Leave to File a
Motion to Compel (Dkt. 153). The Court has considered the pleadings filed in support of and in
opposition to the motion and the file herein.

Plaintiffs request permission to file a motion to compel discovery in this matter.
Specifically, Plaintiffs desire to compel production of (1) records pertaining to weapons issued
to Defendants Yarnes and Kellas, (2) prior complaints against Defendants Yarnes and Kellas, (3)
Defendants' financial information for potential punitive damages, (4) correspondence with
experts, and (5) corporate records from the Humane Society of Clallam County.

1 On April 7, 2005, the Court issued an Order stating that all motions related to discovery
2 must be filed by September 12, 2005, and that discovery must be completed by October 2, 2005.
3 Dkt. 39, at 1. The deadline for filing discovery motions expired over three months ago, and this
4 case is scheduled for trial on January 20, 2005.

5 Plaintiffs have failed in their motion to offer a reasonable explanation why the Court
6 should allow further discovery this late in the process. Plaintiffs had ample time to bring
7 appropriate discovery motions prior to the deadline of September 12, 2005. Further, many of
8 the issues raised by Plaintiffs in their motion have already been addressed by the Court's Order
9 Denying Plaintiffs' Motion to Compel, dated October 5, 2005. Dkt. 110.

10 The three issues in Plaintiffs' current motion that appear new to the Court are the
11 requests for records pertaining to any weapons issued to Defendants Yarnes and Kellas,
12 correspondence with experts, and corporate records from the Humane Society of Clallam
13 County. A review of Plaintiffs' claims indicates that there are no issues involving unreasonable
14 use of force in this case, and Plaintiffs' request for records pertaining to weapons is not relevant.
15 Further, Plaintiffs have had ample time to bring a motion to compel production of any
16 correspondence with experts or corporate records from the Humane Society of Clallam County
17 long before now.
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